

June 5, 2002

## **FACT SHEET**

### **PROPOSED DECISION NOT TO REGULATE CHLORINE AND HYDROCHLORIC ACID EMISSIONS FROM CHLORINE PRODUCTION**

#### **TODAY'S ACTION**

- The Environmental Protection Agency (EPA) is today giving notice that it proposes to not regulate emissions of the toxic air pollutants from industrial facilities that produce chlorine. Toxic air pollutants, or air toxics, are those pollutants known or suspected of causing cancer or other serious health effects.
- Chlorine and hydrochloric acid are the only air toxics emitted in significant quantities by most of the chlorine production industry. EPA has determined that air emissions of these compounds from industrial facilities that produce chlorine are below levels that protect the public with an ample margin of safety. The Clean Air Act gives the Agency the authority to make this decision.
- Chlorine and hydrochloric acid are known as “health threshold pollutants”. This means that for each compound there is a well defined concentration below which no health problems occur.
- Air emissions of these pollutants from the chlorine industry do not increase overall concentrations about the “threshold” level. As a result, EPA proposes not to develop an air toxic rule for this industry.
- Facilities known as chlor-alkali plants, are included in the category of facilities that produce chlorine. Mercury cell chlor-alkali facilities, emit mercury and mercury compounds into the air and will be regulated by a air toxic regulation targeting those emissions.
- EPA will accept comment on the proposal through 60 days after publication of the proposed rule in the *Federal Register*. After reviewing all comments, the Agency anticipates issuing the final rule in 2003.

#### **BACKGROUND**

- The Clean Air Act Amendments of 1990 requires EPA to reduce air emissions of 188 listed toxic air pollutants. Chlorine and hydrochloric acid are included on this list.
- The Clean Air Act also requires EPA to identify categories of industry or “source categories” that emit one or more listed 188 hazardous air pollutants. EPA initially identified chlorine

producers as a source category emitting one or more toxic air pollutants.

- For major sources within each source category, the law requires EPA to develop standards that restrict emissions to levels consistent with the lowest-emitting (also called best-performing) plants. Major sources are those that emit 10 tons a year or more of a single toxic air pollutant or 25 tons a year or more of a combination of air toxics.
- EPA has determined that 21 of the nearly 50 facilities that produce chlorine are major sources. This includes 20 chlor-alkali plants and one facility known as a primary magnesium refinery. These chlor-alkali plants are located with other industrial processes that produce air toxics and would not be considered major sources if they were located separately. The magnesium refinery is included in a separate source category and will be regulated under a separate rule to reduce toxic air emissions.

### **FOR MORE INFORMATION**

- To download a copy of this notice, go to EPA's World Wide Web site at <http://www.epa.gov/ttn/oarpg/> under newly proposed or issued rules.
- For further information today's notice, contact Mr. Iliam D. Rosario of EPA's Office of Air Quality Planning and Standards at (919) 541-5308 or [rosario.iliam@epa.gov](mailto:rosario.iliam@epa.gov).
- Send any comments on the proposed rule making (in duplicate if possible) to: Air and Radiation Docket and Information Center (6102), attention: Docket No. A-2002-09, Room M-1500, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460. You may also submit comments and data by electronic mail (e-mail) to: [A-and\\_R-Docket@epamail.epa.gov](mailto:A-and_R-Docket@epamail.epa.gov).
- Submit electronic comments as an ASCII file to avoid the use of special characters and encryption problems or in WordPerfect version 5.1, 6.1, or Corel 8 file format. Electronic comments and data must note the docket number (Docket No. A-2002-09). You may file electronic comments online at many Federal Depository Libraries. Do not submit confidential business information (CBI) by e-mail. See the Federal Register notice for more information on how to handle the submittal of CBI.
- EPA's Office of Air and Radiation's homepage on the Internet contains a wide range of information on the air toxics program, as well as many other air pollution programs and issues. The Office of Air and Radiation's homepage address is: <http://www.epa.gov/oar/>.